

REMARKS

Claims 16-35 remain in this application. Claims 1-15 were previously canceled. Reconsideration of the application is requested.

Claims 27-30, directed to a non-elected species, are retained in the application, since, for reasons discussed below, these claims are considered to depend on an allowable generic claim.

Claim 16 is amended above after consideration of the comments provided by the Examiner in section 3 on page 2 of the Office Action. It is respectfully submitted that all of the claims in this application now comply with the requirements of 35 U.S.C. § 112, second paragraph.

Claim 26 is rewritten above in independent form. In view of the comments provided by the Examiner in section 7 on page 4 of the Office Action, claim 26 should now be allowable.

Independent claim 16 is rejected under 35 U.S.C. § 103(a), along with various dependent claims, as unpatentable over European Patent Application 0 562 244 A1 to Yamada in view of U.S. Patent 6,820,921 to Uleski. Reconsideration is respectfully requested. The Yamada and Uleski disclosures relied on do not suggest a storage compartment for a vehicle comprising, in addition to the other elements required, an energy store part of a first axis of rotation arranged within a storage compartment cover as claim 16 defines. As the Examiner acknowledges in lines 10-13 on page 3 of the Office Action, the Yamada apparatus does not include a driving device. While the Examiner proposes to modify the Yamada apparatus by providing a driving device as

taught by Uleski, the Uleski gear teeth 523, which provide the dampening function described from line 65 in column 15 to line 5 in column 16, are located outside a bezel housing 512 (Figure 25) or 582 (Figures 26-27) rather than within the storage compartment cover formed by panel 514 (Figure 25) or 584 (Figures 26-27). As the Examiner notes, the Yamada apparatus does not include a driving device. Since the Uleski assembly does not include a driving device within a storage compartment cover, the Yamada and Uleski disclosures, considered together, can not suggest a storage compartment in which at least an energy store part of a first axis of rotation is arranged within a storage compartment cover as claim 16 particularly defines.

In section 6 on page 4 of the Office Action, U.S. Patent 5,067,755 to James is relied on as an additional secondary reference to reject dependent claims 22 and 35. The James patent, however, also fails to suggest the provision of structure meeting the limitations discussed above.

It is respectfully submitted that claim 16, as it appears above, is patentable along with claim 26. All other claims in this application depend on claim 16 and should also be patentable as well.

This application should now be in allowable condition. If there are any questions regarding this Reply or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an extension of time sufficient to effect a timely response. Please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket #095309.55723US).

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Respectfully submitted,

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